

Appl. No. : 10/067,569  
Filed : February 5, 2002

### REMARKS

#### Information Disclosure Statement

Applicants respectfully submit that documents 43 and 45 listed on the IDS filed June 9, 2004 were submitted to the Office along with that IDS. However, to facilitate prosecution, Applicants provide herewith courtesy copies of documents 43 and 45, and respectfully request consideration of those references.

#### Claim Rejections - 35 U.S.C. §§ 102, 103

The outstanding §102 and §103 rejections over Policappelli and/or Drunen are set forth in the aforementioned Office Action. As discussed during the telephonic interview summarized above, Applicants respectfully submit that Policappelli fails to teach or suggest a detoxified extract from an agricultural by-product. Agricultural by-products include plant products left over after separation of the main value product, as discussed during the aforementioned interview and noted in the specification at paragraph 0025. Drunen fails to recognize the problem of toxins in agricultural by-products, and thus fails to teach or suggest detoxification. Therefore, because Policappelli and/or Drunen, each alone or in combination, fail to anticipate or render obvious Claims 1-11, 17-29 and 48-52, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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**Biosci Biotechnol Biochem 1998 Jun; 62(6): 1201-4**

**HPLC method for evaluation of the free radical-scavenging activity of foods by using 1,1-diphenyl-2-picrylhydrazyl.**

**Yamaguchi T, Takamura H, Matoba T, Terao J**

Graduate School of Human Culture, Nara Women's University, Japan.

An HPLC method for evaluation of the free radical-scavenging activity of foods by using 1,1-diphenyl-2-picrylhydrazyl (DPPH) is reported. The activity was evaluated by measuring the decrease of DPPH detected at 517 nm. By using this novel method, we determined the free radical-scavenging activity of several antioxidants: ascorbic acid, alpha-tocopherol, Trolox, and cysteine. The results gave good correlation between the radical-scavenging activity determined by HPLC and by conventional colorimetry. This methodology was applied to determine the free radical-scavenging activity of 8 beverages. The activity of coffee was the highest, followed by red wine, green tea, oolong tea, black tea, rose wine, white wine, and orange juice. The results well agree with those of previous reports. This method is expected to be useful for a simple and rapid determination of free radical-scavenging activity in colored foods, because coloring substances in foods do not interfere with the measurement.

**J Exp Clin Cancer Res 1998 Dec;17(4):431-4**

**Protective effect of curcumin, ellagic acid and bixin on radiation induced genotoxicity.**

**Thresiamma KC, George J, Kuttan R**

Amala Cancer Research Centre, Amala Nagar, Trichur, Kerala State, India.

Induction of micronuclei and chromosomal aberrations produced by whole body exposure of r-radiation (1.5-3.0 Gy) in mice was found to be significantly inhibited by oral administration of natural antioxidants, curcumin (400 micro moles), ellagic acid (200 micro moles) and bixin (200 micro moles) per kilogram body weight. These antioxidants induced inhibition of micronucleated polychromatic and normochromatic erythrocytes, was comparable with alpha-tocopherol (200 micromoles) administration. Curcumin and ellagic acid

were also found to significantly reduce the number of bone marrow cells with chromosomal aberrations and chromosomal fragments as effectively as alpha-tocopherol. Moreover, administration of antioxidants inhibited the DNA strand breaks produced in rat lymphocytes upon radiation as seen from the DNA unwinding studies. These results indicated that antioxidant curcumin, ellagic acid and bixin provide protection against chromosome damage produced by radiation.